

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:12-cr-00257-MOC-DCK

UNITED STATES OF AMERICA, )  
                                )  
                                )  
                                )  
Vs.                              )  
                                )  
**FRANK HOWARD SMITH,**     )  
                                )  
Defendant(s).                )

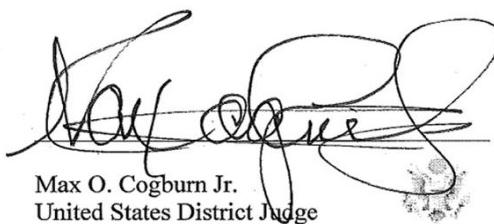
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**THIS MATTER** is before the court on the government's Motion to Dismiss the Indictment. Having considered the government's motion and reviewed the pleadings, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the government's Motion to Dismiss the Indictment (#17) is **GRANTED**, and the Indictment and this action are dismissed without prejudice.

Signed: March 5, 2013



Max O. Cogburn Jr.  
United States District Judge